

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 20, 2007**

## DIVISION THREE

B193248 People (Not for Publication)  
v.  
Rodney C.,

The order of wardship is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

B183515      People      (Not for Publication)  
v.  
Henry Newman

The sentence is reversed and the matter is remanded to the superior court with directions to conduct a new sentencing hearing consistent with the views express in the opinion. In all other respects, the judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

DIVISION THREE (continued)

B191095      County of Los Angeles                      (Not for Publication)  
v.  
Community Redevelopment Agency of Los Angeles, et al.  
Bernardi, et al.

The judgment and postjudgment order awarding attorney fees are affirmed.  
The Redevelopment Agency and The City are entitled to recover their costs  
on appeal.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

B201053      James F.    (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition for extraordinary writ filed by Father is denied.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and S. Veverka, Deputy  
Clerk.

DIVISION FOUR (continued)

Each of the following:

B192383 People v. Luna  
B190460 People v. Boyd  
B196332 DCFS v. Marcus S.

Argument waived, cause submitted.

B174486     People  
               v.  
               Hernandez

Merits:

Argued by Nancy King for appellant and by Michael A. Katz for respondent. Cause submitted.

B191227     People  
               v.  
               Gulledge et al.

Merits:

Argued by Sharon M. Jones for appellant Gulledge; by Lynda A. Romero for appellant Scott and by Robert C. Schneider for respondent. Cause submitted.

B192510     In re Otis Took  
               On  
               Habeas Corpus

Merits:

Argued by Allison Ting for petitioner and by William H. Shin for respondent. Petitioner shall have 10 days to respond to letter brief filed by respondent. Matter to be submitted upon receipt of petitioner's letter.

DIVISION FOUR (continued)

B193742      ASSI Super, Inc.  
                 v.  
                 Eight Oxfords Property Management, Inc.

Merits:  
Argued by Lloyd S. Mann for appellant and by Barak Lurie for respondent.  
Cause submitted.

B194121      Espinoza  
                 v.  
                 Crane Co., et al.

Merits:  
Argued by Stewart W. Fest for appellant and by Steven E. Knott for  
respondents. Cause submitted.

B178340      Slesinger, Inc.  
                 v.  
                 The Walt Disney Company

Merits:  
Argued by Jerome B. Falk for appellant and by Daniel M. Petrocelli for  
respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and S. Veverka, Deputy  
Clerk.

DIVISION FOUR (continued)

Each of the following:

B191515 People v. Coleman  
B196292 DCFS v. Maximiliano V.

Argument waived, cause submitted.

B196977     People  
              v.  
              Pope

Merits:  
Argued by Richard L. Fitzer for appellant and by Colleen M. Tiedemann  
for respondent. Cause submitted.

B195227     Dilbeck, et al.  
              v.  
              Van Schaick, et al.

Merits:  
Argued by Dan Hogue for appellants and by Randall S. Stamen for  
respondents. Cause submitted.

B193674     People  
              v.  
              Komsan S.

Merits:  
Argued by Courtney M. Selan for appellant and by Taylor Nguyen for  
respondent. Cause submitted.

DIVISION FOUR (continued)

B190409      Pickrell et al.  
v.  
Countrywide Credit Industries, Inc.

Merits:

Argued by Pamela M. Parker for appellants and by Thomas M. Hefferon for respondents. Cause submitted.

B191416      Amerisource Mortgage, Inc., et al.  
v.  
McConnville

Merits:

Argued by Andrea Breuer for appellants and by R. Bryan Martin for respondent. Cause submitted.

Court adjourned

DIVISION FIVE

B194472 People (Not for Publication)  
v.  
Eliseo Betancourt

That portion of the judgment staying imposition of punishment for the enhancement under section 667.5, subdivision (b) 9s reversed. The trial court is direce to hold a new sentencing hearing and either impose the enhancemnt or strike it in accordance with the dictates of section 1385. In all other respects, the judgment is affirmed.

Kriegler, J.

We concur:   Armstrong, Acting P.J.  
Mosk, J.

September 20, 2007 (Continued)

## DIVISION FIVE (continued)

B192581 People (Not for Publication)

V.

Jesus Garcia

The judgment is affirmed.

Armstrong, Acting P.J.

I concur: Kriegler, J.

I concur: Mosk, J. (Opinion)

B192537 People (Not for Publication)

V.

Rasheena Buchanan, et al

The judgment is affirmed.

Kriegler, J.

I concur:       Turner, P.J.

I concur: Mosk, J. (opinion)

B199943      Miracle G.      (Not for Publication)

V.

Superior Court, Los Angeles County  
(DCFS, r.p.i.)

The petition is denied.

Turner, P.J.

We concur:   Armstrong, J.

Kriegler, J.

## DIVISION FIVE (continued)

B190315 Chinese Yellow Pages  
v.  
Chinese Yellow Marketing

Filed order denying petition for rehearing.

B191289 Harold Stutz, et al.,  
v.  
Michael Cloyd, et al

Filed order partially dismissing appeal on court's own motion. Appeal (notice of appeal filed April 28, 2006) by Knapp in his cross-complaint against Henkhaus is dismissed. Respondent(s) to recover costs.

DIVISION SIX

B195870 People v. Savage (Not for Publication)

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The judgment (order continuing commitment) is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.



September 20, 2007 (Continued)

## DIVISION SIX (continued)

B192929 People (Not for Publication)

V.  
Miranda

We reverse the judgment regarding counts 6 and 7 and remand for resentencing. The judgment is otherwise affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

B192252 Penn et al., (Not for Publication)

V.  
Tenet Healthcare Corp., et al.,

The judgment (orders under review) are affirmed. Respondents are awarded costs on appeal.

Yegan, J.

We concur: Gilbert, P.J.  
Coffee, J.

B191693 Mikaelian (Not for Publication)

V.  
City of Goleta

The judgment is affirmed. Respondents are to recover costs.

Perren, J.

We concur:    Gilbert, P.J.  
                              Yegan, J.

## DIVISION SIX (continued)

B196201 People (Not for Publication)  
v.  
Munoz

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.  
Perren, J.

[illegible]

We conditionally reverse the judgment and remand the matter with the following directions: (1) the trial court shall hold a hearing to allow appellant the opportunity to request a reasonable continuance to retain private counsel or apply for the appointment of counsel upon an adequate showing of indigence; (2) if newly retained or appointed counsel determines there is a basis for a new trial motion, the court shall consider and decide that motion; (3) if counsel does not move for a new trial, or such a motion is denied, the court shall reinstate the original judgment and sentence which shall stand affirmed.

Coffee, J.

We concur:    Gilbert, P.J.  
                              Yegan, J.

September 20, 2007 (Continued)

## DIVISION SIX (continued)

B197772      In re Nathan R.      (Not for Publication)  
Ventura Co. Human Services  
v.  
Leah B.

The orders are affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

B191445      Gialketsis      (Not for Publication)  
v.  
Gialketsis

The judgment is affirmed. Respondent shall recover costs on appeal.

Perren, J.

We concur: Gilbert, P.J.  
Yegan, J.

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Perren, J.

September 20, 2007 (Continued)

DIVISION EIGHT

B190880     People  
              v.  
              Brown

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)